

**WARREN COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
FRIDAY, OCTOBER 19, 2007**

The Board of Supervisors of the County of Warren convened at the Supervisors' Room in the Warren County Municipal Center, Lake George, New York, at 10:00 a.m.

Mr. William Thomas presiding.

Salute to the flag was led by Supervisor Caimano.

Roll called, the following members present:

Supervisors Monroe, Girard, Sheehan, O'Connor, Kenny, Belden, Bentley, W. Thomas, Tessier, Merlino, Stec, Caimano, VanNess, Sokol, F. Thomas, Haskell, and Geraghty - 17.

Absent: Supervisors Gabriels, Mason and Champagne - 3.

Motion was made by Mr. Bentley, seconded by Mr. Belden and carried unanimously to approve the minutes of the September 21, 2007 Board Meeting, subject to correction by the Clerk.

Chairman Thomas requested Supervisor Belden to come forward to make a presentation. Mr. Belden presented a Certificate of Appreciation to Leonard Baker in recognition of his thirty-two years of dedicated service to the Department of Public Works. He congratulated Mr. Baker on his retirement and wished him well. Mr. Baker thanked the Board of Supervisors and the County for the opportunity he has had to serve and work for the County. The board members responded with applause.

Sheriff Cleveland took a moment to introduce Bud York, Sheriff-elect, and welcomed him to the meeting. The board members responded with applause.

Supervisor Haskell advised that the core group had met to further discuss proposals for the new Health and Human Services Building and he thanked Supervisors O'Connor and Merlino for attending that meeting. He added that Bovis Lend Lease and Clark Patterson Associates had developed another proposal and he distributed copies of the proposal to the board members, a copy of which is on file with the minutes. He stated that the proposal was to construct a building on the existing Municipal Center campus that would house the Department of Social Services, the Office for the Aging, as well as the mandated Point of Entry. He noted the proposed building was much smaller than the plan previously submitted and would only address the present immediate needs of the County, and not future growth needs of the County. He further stated the cost for the new proposal would be \$16.9 million.

Chairman Thomas extended privilege of the floor to Jeanne Polunci of Purrs

and Paws Cat Shelter. Ms. Polunci distributed a handout to the board members, a copy of which is on file with the minutes. She read the letter attached to the handout which addressed the spaying and neutering of cats. She requested the board members to consider establishing a Warren County Community Chest where monies would be administered by an appointed agent and available to all local animal shelters for the spaying and neutering of cats. Chairman Thomas thanked Ms. Polunci for the information that she provided.

Supervisor F. Thomas introduced John Bowe, the new 4-H Coordinator at Cornell Cooperative Extension in Warren County and welcomed him to the meeting. Mr. Bowe thanked Mr. F. Thomas for the introduction and expressed his pleasure to be working with Warren County. The board members responded with applause.

Chairman Thomas recognized Ben Driscoll, Ward 5 representative of the Glens Falls Common Council, and welcomed him to the meeting today.

Chairman called for reports by Committee chairmen on past activities and the following gave verbal reports:

Supervisor Monroe, Finance and Economic Development Corporation; Supervisor Girard, Municipal Shared Services; Supervisor Sheehan, Support Services, and Supervisor Kenny, Occupancy Tax.

Supervisor Gabriels entered the meeting at 10:24 a.m.

With regard to the Finance Committee, Mr. Monroe advised the Committee had approved the \$50,000 in funding for the Adirondack Regional Business Incubator (ARBI) and he noted that resolution was included in the Supervisors' packets. He added that the County Treasurer had presented the Moody's Investor Services Report and noted that the County had been downgraded from an A1 to an A2 due primarily to the reduction in County surplus. Mr. Monroe stated he had chaired the Real Property Tax Services Committee in the absence of the Committee Chairman, Supervisor Belden, and the Committee had approved a revised schedule for the County auction and the last chance meeting dates, which was also included in the Supervisors' resolution packets. Concerning the Economic Development Corporation Committee, Mr. Monroe said discussions were held with regard to amending the Empire Zone Boundary to accommodate the newly formed corporation, Finch Paper, which was formed after the sale of Finch Timberlands.

In connection with the Municipal Shared Services, Mr. Girard apprised progress was being made with regard to East Field. He further stated that a resolution was included in the packets authorizing the County and the City of Glens Falls to apply for

a shared services grant in the amount of up to \$200,000 per municipality to perform feasibility studies on the East Field property.

Mr. Sheehan expounded that the Support Services Committee had approved a resolution for the Board of Elections to apply for a grant to the New York State Board of Elections to improve handicapped polling places and that was included in the Supervisors' packets.

Regarding the Occupancy Tax Committee, Mr. Kenny stated he chaired the meeting in the absence of the Committee Chairman, Supervisor Caimano. He said discussions were focused on the New York State Associations of Fire Chiefs' request for \$150,000 in Occupancy Tax funding for their 2008 Convention. He reminded the board members of the Occupancy Tax guidelines which stated that the County would not exceed contributing \$50,000 in funding for any one event. However, Mr. Kenny said, there was a resolution included in the packets which would waive those guidelines and allow the County to contribute \$150,000 to the Association, contingent upon a contribution from the Village of Lake George, the Town of Lake George, the Town of Bolton and the Town of Queensbury. He further noted that the Committee was not specific as to the amount required by the aforementioned towns. Mr. Kenny apprised he was not in favor of this resolution and added that the Americade event was the most significant tourism event of the year and the County only contributed \$50,000 in funding for that event. He stated that although the Association of Fire Chiefs' Convention had a definite economic impact on Warren County, he could not justify contributing more than \$50,000 for any event, when Americade only received \$50,000. He expounded that the Association had submitted a budget which reflected that if they received the \$150,000 from the County, they would realize a \$120,000 profit for the event, and he asked the board members to consider that when voting on the resolution.

Chairman Thomas suggested that the towns involved provide a more substantial commitment towards the funding for the event. Mr. Monroe added that a possibility could be to amend the resolution to state that the County would provide \$50,000 and the aforementioned towns would have to contribute the rest of the funding from their Occupancy Tax revenues.

Motion was made by Mr. Monroe and seconded by Mr. Merlino to amend Resolution No. 662 to authorize the County to contribute \$50,000 in funding to the NYS Association of Fire Chiefs' and the Town and Village of Lake George, the Town of Bolton and the Town of Queensbury shall provide the remaining balance requested.

Mr. Haskell advised that as a member of the Occupancy Tax Committee, he felt the Committee had guaranteed the Association that they would receive \$150,000 from the County for their Convention. He further stated that he felt the four Towns would contribute towards the funding; however, he said, he did not think they would each contribute \$25,000 for the event.

Mr. Tessier suggested holding a workshop session between the Occupancy Tax Committee and the Towns. He added that his understanding was that the County would contribute only \$50,000 from the Occupancy Tax funds, an additional \$50,000 would be contributed from a different fund of the County, such as the General Fund or sales tax, and the four Towns involved would then contribute the remaining \$50,000. Mr. Gabriels commented that he would like to hold a workshop session with the parties involved as well.

Mr. O'Connor questioned the net profit of \$120,000 that the Association would realize and Chairman Thomas responded that the Association was a not-for-profit organization and the profit received would go back into community programs and education.

Mr. Haskell recommended tabling the resolution until a workshop session was held. Joan Sady, Clerk of the Board, advised a motion to table would supercede a motion to amend. Chairman Thomas added that the issue would need to be resolved in a timely fashion because the Association needed an answer as to the amount of funding the County would contribute.

Motion was made by Mr. Haskell, seconded by Mr. Gabriels and carried unanimously to table Resolution No. 662, Suspending Section No. 3 of Resolution No. 238 of 2005 with Regards to the 2008 NYS Association of Fire Chiefs' Convention and Authorizing a Contract for the Disbursement of 2007 Occupancy Tax Revenues.

Returning to reports by Committee chairmen on past activities, the following gave verbal reports:

Supervisor Belden, DPW; Supervisor Tessier, Tourism, Criminal Justice, Airport and Social Services; Supervisor Stec, Planning and Community Development; Supervisor Caimano, Budget; Supervisor F. Thomas, Legislative; and Supervisor Geraghty, Insurance.

Concerning the DPW Committee, Mr. Belden apprised the Department was working on updating the Gas-Boy systems in order to be in compliance with DEC (Department of Environmental Conservation) regulations.

Mr. Bentley took a moment to thank DPW, the Sheriff's Office, Marv Lemery (Warren County Fire Coordinator) and the Office of Emergency Services for the assistance during a recent storm that hit the Town of Horicon.

Mr. Tessier stated that the Committees he chaired conducted regular business over the past month.

With regard to the Planning and Community Development Committee, Mr. Stec reported that the issue of enhanced aerial photography for the GIS (Geographic Information System) was still being worked out. He further stated that many towns had responded and were not interested in higher resolution photographs; however, he said, the issue should be resolved at the Committee meeting next month. He also thanked William Lamy, DPW Superintendent and the DPW crews for the work that had been done on the realignment of the intersection of Haviland and Meadowbrook Roads in the Town of Queensbury.

In connection with the Budget Committee, Mr. Caimano advised that Mrs. Sady; Hal Payne, Commissioner of Administrative and Fiscal Services; JoAnn McKinstry, Deputy Commissioner of Administrative and Fiscal Services and Richard Murphy, Deputy Commissioner of Fiscal Services were continuing to work very diligently on the budget and he also thanked the Department Heads for the work they had put into reducing their individual costs.

Regarding the Legislative Committee, Mr. F. Thomas expounded there were two resolutions included in the Supervisors' packets that resulted from the meeting. He explained one resolution was in opposition to Governor Spitzers' Executive Order to allow undocumented illegal aliens to obtain a New York State drivers license, in support of the County Clerks Association. The other resolution, he added, was supporting Seneca County's request to Governor Spitzer to collect sales tax on sales on Indian Nations as negotiated with the Indian Nations.

Concerning the Insurance Committee, Mr. Geraghty said the Committee was considering RFP's (Request for Proposals) for Third Party Workers Compensation Administration. He added that John Weber, of Capital Financial, was present to discuss the health insurance premiums for 2008.

Mr. Weber advised that the CSEA (Civil Service Employees Association) accepted an increase for co-pays from \$20 to \$25 for all health plans and had added a Medicare supplement plan as an option to retirees. He noted that with those changes, the health insurance budget increase for 2008 would not exceed 3%.

Chairman Thomas requested Mr. Payne to discuss the CSEA contract. Mr.

Payne stated he had distributed the Memorandum of Understanding (MOU) to the board members, a copy of which is on file with the minutes. He apprised the contract had been voted on Wednesday night and it had passed through the Union. He added that the contract included a 3½% salary increase per year for the next four years. He noted that Paul Dusek, County Attorney; Rich Kelly, Personnel Officer; Todd Lunt, Human Resources Director and he had negotiated the contract on behalf of the County.

Mr. Gabriels said the contract had been discussed at the Personnel/Human Resources Committee during an executive session and the Committee was in favor of it and had forwarded it to the full Board of Supervisors for approval.

With regard to the newest proposal for the Health and Human Services building that was distributed to the board members earlier in the meeting, Mr. Haskell explained the plan was for a three-story building to be constructed on the Municipal Center Campus. He said the building would be 61,440 square feet, at a cost of \$275 per square foot, for a total cost of \$16.9 million. He reiterated that the building plan was to meet the County's immediate needs and was not designed for any future growth.

Chairman Thomas requested an executive session to discuss pending litigation. Motion was made by Mr. Haskell, seconded by Mr. Caimano and carried unanimously that executive session be declared pursuant to Section 105 (d) of the Public Officers Law.

Executive session was declared from 11:02 a.m. to 11:10 a.m.

Board reconvened. Chairman Thomas stated pursuant to the executive session a motion was needed to authorize NYMIR (New York Municipal Insurance Reciprocal) to settle a property damage claim against Warren County. Motion was made by Mr. Merlino, seconded by Mr. Tessier and carried unanimously to settle a property damage claim against Warren County as outlined above. Clerk noted it would be Resolution No. 667 for the record.

Chairman called for reading of communications.

Clerk read communications, including the following:

Minutes from:

Warren County Planning Board;

Warren/Washington Counties Mental Health and Chemical Dependency

Subcommittees;
Warren/Washington Counties IDA and Executive/Park Committee.

Monthly Reports from:
Probation;
Weights & Measures;
Veterinarian.

Quarterly Report from:
NYS Department of Civil Service, Empire Plan 2nd Quarter Experience Report.

Annual Reports from:
2006 Financial Report for Warren County and audit report from Dorfman-Robbie, Certified Public Accountants;
Warren County SPCA.

Capital District Off-Track Betting, September surcharge in the amount of \$13,464 and July 31, 2007 Financial Report;

National Grid, Semi-annual PCB Inventory Report;

Office of the State Comptroller, Notice of audit to determine whether the County has explored options relative to reducing employee health insurance costs.

Communications, resolutions and reports ordered placed on file.
Chairman called for reading of resolutions and discussion.

Mr. F. Thomas stated with regard to Resolution No. 619, Authorizing Agreement Continuing Contractual Relationship with LexisNexis Matthew Bender to Provide a Law Library System for Inmates at the Warren County Correctional Facility, he questioned if this was a mandated contract. Sheriff Cleveland replied it was mandated; however, he said, the revenue that came in from the inmate telephone system was used to cover the cost of this contract. He further stated that the revenue received for the inmate telephone system exceeded the cost of the LexisNexis contract. Sheriff Cleveland explained that the County was required to provide legal services to inmates. He added that the inmates could request any information from the Law Library and the Correction Officers used to have to research and locate the requested information and photocopy all of it. He noted they received approximately thirty requests a day from the inmates. He said the manual operation of that work would require at least two full time people to research and copy information.

Therefore, Sheriff Cleveland stated, the LexisNexis system allowed the inmates to perform the research on their own and if they wanted to print the information, the inmates paid twenty-five cents per page for that out of their own accounts. He concluded that it was an expensive contract; however, he said, the cost savings in man-power and staffing more than paid for it and the inmate funds actually covered the costs.

Chairman Thomas asked how many inmates in the Correction Facility were Warren County residents and how many were boarded in from other counties. Sheriff Cleveland responded approximately ninety to one hundred were Warren County residents and around forty to fifty inmates were boarded in from other counties. He added that the County received \$700,000 for boarding of inmates for 2007 and he estimated they would exceed that in 2008 and receive approximately \$1 million. He noted that the Commissioner would be performing a staffing analysis in the future at the Correction Facility and may recommend additional staffing.

Mrs. Sady advised that Resolution Nos. 613 through 660 were mailed. She added that Resolution No. 660 had been corrected, due to a typographical error. Mrs. Sady noted a motion was needed to bring Resolution Nos. 612 and 661 through 667 to the floor, with the exception of Resolution No. 662 which was tabled. Motion was made by Mr. VanNess, seconded by Mr. Sokol carried unanimously to bring Resolution Nos. 612 and 661 through 667 to the floor.

Mr. Caimano requested a roll call vote on Resolution No. 641, Authorizing Amendment Agreement with Judy E. Caimano, Speech Therapist, to Include Provision for Services in a Group as well as Individual Setting.

Mr. Kenny requested a roll call vote on Resolution No. 652, Authorizing Execution of Adirondack Park Agency's Jurisdictional Inquiry Forms Relative to the Construction of Picnic Pavilions on Property Owned by Open Space Conservancy, Inc. (Kellogg Property) and Warren County Located in the Town of Johnsbury; and a roll call vote on Resolution No. 653, Authorizing Execution of Adirondack Park Agency's Application for Major Projects General Information Request and Application for Commercial Uses, as Related to the Thurman Station Portion of the Warren County Scenic Rail Stations Improvements (PIN 1755.99) Project.

Chairman Thomas called for a vote on the resolutions.

Resolution Nos. 612 through 667 were approved. Resolution No. 662, Suspending Section No. 3 of Resolution No. 238 of 2005 with Regards to the 2008 NYS Association of Fire Chiefs' Convention and Authorizing a Contract for the Disbursement of 2007 Occupancy Tax Revenues, was tabled.

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There being no further business, on motion by Mr. Haskell and seconded by Mr. Belden, Chairman Thomas adjourned the meeting at 11:27 a.m., to meet on Friday, November 2, 2007, at 10:00 a.m. to review the 2008 Tentative Budget.